

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS, DEL RIO DIVISION**

JAVIER CAZARES, Individually as Wrongful Death Beneficiary of J.J.C., deceased minor; SANTA GLORIA CAZARES, Individually as Wrongful Death Beneficiary and as Representative of the Estate of J.J.C., deceased minor; KIMBERLY GARCIA, Individually as Wrongful Death Beneficiary of A.J.G., deceased minor; RACHEL GARZA, Esq., as Representative of the Estate of A.J.G., deceased minor; MIGUEL CERRILLO, Individually and as Next Friend of M.I.C, minor; ABIGALE VELOZ, Individually and as Next Friend of M.I.C., minor; ANA RODRIGUEZ, Individually as Wrongful Death Beneficiary and as Representative of the Estate of M.Y.R., deceased minor; JERRY MATA, Individually as Wrongful Death Beneficiary of T.M.M., deceased minor; VERONICA MATA, Individually as Wrongful Death Beneficiary and as Representative of the Estate of T.M.M., deceased minor; JESSIE RODRIGUEZ, Individually as Wrongful Death Beneficiary of A.G.R., deceased minor; DEANNA GORNTTO, Individually as Wrongful Death Beneficiary and as Representative of the Estate of M.G.M. deceased minor; MARIA MAGDALENE GARCIA, Individually as Wrongful Death Beneficiary and as Representative of the Estate of N.A.B., deceased minor; JUAN JULIAN BRAVO, Individually as Wrongful Death Beneficiary of N.A.B., deceased minor; VERONICA LUEVANOS, Individually as Wrongful Death Beneficiary and as Representative of the Estate of J.N.S., deceased minor; JACOB SILGUERO, Individually as

Case No. 2:24-cv-00045

Wrongful Death Beneficiary of J.N.S., *deceased minor*; APRIL ELROD, Individually as Wrongful Death Beneficiary of and as Representative of the Estate of M.L.E., *deceased minor*; KIMBERLY RUBIO, Individually as Wrongful Death Beneficiary and as Representative of the Estate of A.A.R., *deceased minor*; FELIX RUBIO, Individually as Wrongful Death Beneficiary of A.A.R., *deceased minor*; JOSE LUEVANOS, Individually as Wrongful Death Beneficiary and as Representative of the Estate of J.C.L., *deceased minor*; CHRISTINA LUEVANOS, Individually as Wrongful Death Beneficiary of J.C.L., *deceased minor*; JENNIFER LUGO, Individually as Wrongful Death Beneficiary and as Representative of the Estate of E.A.G., *deceased minor*; STEVEN GARCIA, Individually as Wrongful Death Beneficiary of E.A.G., *deceased minor*; ALYSSA RODRIGUEZ, Individually as Wrongful Death Beneficiary for J.M.F., *deceased minor*; EVADULIA ORTA, Individually as Wrongful Death Beneficiary and as Representative of the Estate of R.F.T., *deceased minor*; MANDY MARIE RENFRO, Individually as Wrongful Death Beneficiary of U.S.G., *deceased minor*; DAVID BALMER, Esq., as Representative of the Estate of U.S.G., *deceased minor*; ELI TORRES, Individually as Wrongful Death Beneficiary of E.T., *deceased minor*; JOSE MARTINEZ, Individually and as Next Friend of A.J.M., *minor*; KASSANDRA CHAVEZ, Individually and as Next Friend of A.J.M., *minor*; VINCENT SALAZAR, III, Individually as Wrongful Death Beneficiary and as Representative of the Estate of L.M.S., *deceased minor*;

**MELINDA ALEJANDRO, Individually as
Wrongful Death Beneficiary of L.M.S.,
deceased minor.**

Plaintiffs

v.

**JUAN MALDONADO, an individual;
CRIMSON ELIZONDO, an individual;
RICHARD BOGDANSKI, an individual;
LUKE WILLIAMS, an individual;
CHRISTOPHER KINDELL, an individual;
JOEL BETANCOURT, an individual;
VICTOR ESCALON, an individual;
TEXAS DEPARTMENT OF PUBLIC
SAFETY DOES 1 through 84; MANDY
GUTIERREZ, an individual; UVALDE
CONSOLIDATED INDEPENDENT
SCHOOL DISTRICT; PEDRO “PETE”
ARREDONDO, an individual; ADRIAN
GONZALES, an individual; JESUS “JJ”
SUAREZ, an individual; SCHNEIDER
ELECTRIC USA, INC.; and MOTOROLA
SOLUTIONS, INC.**

Defendants

**PLAINTIFFS’ STIPULATED NOTICE OF PARTIAL DISMISSAL OF
DEFENDANT MANDY GUTIERREZ ONLY**

Plaintiffs file this Notice of Stipulated Dismissal as to their claims against Defendant Mandy Gutierrez, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). Counsel for all parties who have appeared in this case, including Counsel for Defendant Gutierrez, Clay Grover, as well as Counsel for Pedro “Pete” Arredondo, Christopher Livingston, stipulates to this Notice

of Dismissal, has been provided a copy of and approves of the same. By filing this Notice, Plaintiffs intend to voluntarily dismiss their claims against Mandy Gutierrez only; Plaintiffs intend for all other claims against all remaining Defendants named in this action to remain pending. In support thereof, Plaintiffs respectfully show as follows:

1. Plaintiffs instituted this action by filing their Original Complaint for Damages and Demand for Jury Trial on May 22, 2024. [ECF No. 1]. Plaintiffs filed a Corrected Complaint on May 24, 2024, asserting the same claims against the same parties and just correcting the manner in which certain minor Plaintiffs are identified. [ECF No. 2].

2. Counsel for Defendant Gutierrez, Clay Grover, filed a Notice of Appearance on June 3, 2024. [ECF No. 7].

3. Counsel for Defendant, Pedro “Pete” Arredondo, filed a Notice of Appearance on June 12, 2024. [ECF No. 18].

4. Defendants Gutierrez and Arredondo are the only parties who have appeared in this case. This Stipulated Notice of Dismissal is signed by Mr. Grover, counsel for Defendant Gutierrez as well as Mr. Livingston, counsel for Defendant Arredondo.

5. Plaintiffs asserted claims against 7 Defendants who are associated with the Texas Department of Public Safety. [ECF No. 2 at 17-19, 61-66, ¶¶ 55-63, 326-375]. Plaintiffs also asserted claims against the Uvalde Consolidated Independent School District Police Department and 3 individual Defendants who are associated with the Uvalde Consolidated Independent School District Police Department. [ECF No. 2 at 20-21, 61-68, ¶¶ 56-69, 326-384]. Further, Plaintiffs asserted claims against Schneider Electric USA, Inc. (the claims against Schneider have since been dismissed) [ECF No. 2 at 22, 68-73, ¶¶ 70, 385-414] and [ECF No. 5] and against Motorola Solutions, Inc. [ECF No. 2 at 22, 74-76, ¶¶ 71, 415-432].

6. Plaintiffs no longer wish to prosecute their claims against Defendant Mandy Gutierrez. Federal Rule of Civil Procedure 41(a)(1)(A)(ii) permits a plaintiff to file a stipulation of dismissal signed by all parties who have appeared. *See* Fed. R. Civ. P. 41(a)(1)(A)(ii). Plaintiffs notice the dismissal of their claims against Defendant Mandy Gutierrez **only**. This notice applies **only** to Plaintiffs' claims against Defendant Mandy Gutierrez in the live complaint.

7. This notice does not apply to any claims asserted against any Defendants other than Defendant Mandy Gutierrez. Plaintiffs intend to continue the prosecution of all of their claims against all other Defendants. That is, Plaintiffs intend to continue their prosecution of their First Cause of Action [ECF No. 2 at 61-64, ¶¶ 326-353], their Second Cause of Action [ECF No. 2 at 64-65, ¶¶ 354-366], their Third Cause of Action [ECF No. 2 at 65-66, ¶¶ 367-370], their Fourth Cause of Action [ECF No. 2 at 66-67, ¶¶ 371-379], their Fifth Cause of Action [ECF No. 2 at 67-68, ¶¶ 380-384], and their Eighth and Ninth Causes of Action [ECF No. 2 at 74-76, ¶¶ 415-432].

8. Plaintiffs intend for their dismissal of Mandy Gutierrez to be a dismissal without prejudice. *See* Fed. R. Civ. P. 41(a)(1)(B); *United States v. Eli Lilly & Co., Inc.*, 4 F.4th 255, 261 (5th Cir. 2021).

DATED: June 19, 2024.

Respectfully submitted,
THE PLAINTIFFS,

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